(22)

UNITED
NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/CN.4/Sub.2/1992/NGO/24
27 August 1992

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-fourth session
Agenda item 15

DISCRIMINATION AGAINST INDIGENOUS PEOPLES

Written statement submitted by the International Federation Terre des Hommes, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[31 July 1992]

1. The year 1992 marks the five-hundredth anniversary of the arrival of Europeans in the Americas. For the indigenous populations of the region it is not an anniversary to be greeted with joyous celebration but, on the contrary, a painful reminder of many human rights violations, particularly extrajudicial executions together with the ravages of famine and disease. So far the rights of the indigenous populations of the Americas have not been fully respected and those populations have to face many forms of discrimination.

2. In Colombia there are approximately 300,000 persons in the indigenous population group. Colombian legislation on the recognition of their rights and the protection of their lands is generally considered to be progressive. Nevertheless, maltreatment of indigenous persons is still being reported. Despite the Government's repeated statements concerning its commitment to human rights, the military and paramilitary groups are continuing to perpetrate serious abuses with complete impunity.

3. The International Federation Terre des Hommes (FITDH) is deeply concerned about the recent murders, in Colombia, of members of the Cauca Indigenous Regional Council (CRIC) and their associates. CRIC is an organization working in partnership with one of the members of FITDH.

4. For example, on 29 May 1992 Oscar Elias López was killed in the town of Santander in the Department of Cauca by armed men: he was legal adviser to CRIC. His death was clearly announced in advance, since he, like other associates of CRIC, had already received many threats.

5. The death of Oscar Elias López took place in a context of generalized violence which characterizes the situation of the indigenous populations of Cauca. CRIC has participated in the activities of the indigenous populations of the department in their attempt to recover ancestral lands which they claim to have been granted at the time of the Spanish colonization. That claim is contested by big landowners, who are resorting to all sorts of methods of intimidation to dissuade the Indians from proceeding with their action.

6. On 16 December 1991 at least 20 members of the Paez indigenous community, including women and children, were massacred. They had occupied a property called "El Nilo" at Caloto, in Cauca. They were killed by around 60 armed men, probably from the police, who burst into the building where a meeting of the Indians was being held. This massacre is the culmination of a very tense situation. Since early December the Indians had been subjected to pressures and threats. On 7 December a group of armed men, accompanied by a lawyer, had visited the property occupied by the Indians to demand their immediate evacuation. The families of the Paez group refused to obey and asked for the protection of the authorities, which, nevertheless, took no action on their request. On 8 January 1992 three men who were making an independent inquiry into the massacre were also killed or disappeared. At the same time CRIC announced that, since the massacre, five of its leaders had received death threats.

7. It appears that in the Cauca region paramilitary groups are continuing to create a climate of terror against the indigenous populations and are able to act with total impunity. Consequently FITDH wishes to recommend to the Sub-Commission on Prevention of Discrimination and Protection of Minorities that it should invite the Government of Colombia:

(a) To make public the results of the inquiry into the massacre of 20 Indians of the Paez group in December 1991 and to institute judicial proceedings concerning the death or disappearance of the three independent investigators in January 1992 and the murder of Oscar Elias López on 29 May 1992;

(b) To prosecute all those responsible for murders and massacres and to punish them appropriately;

(c) To take all necessary measures to protect the lives of those working with the Paez community and to permit them to continue their work as lawyers without having to be afraid of any reprisals.